

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Whitehead, William Atty. Docket: 85939.000189
Serial No.: 09/837,039 Examiner:
Filed: April 18, 2001 Art Unit:
Title: ILLUMINATING WEATHERSEAL

Petition to Make Special Under 37 C.F.R. §1.102(VIII)

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

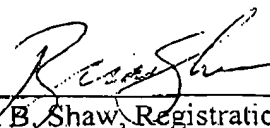
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Applicant hereby petitions to make the present application special pursuant to 37 C.F.R. §1.102 and 708 MPEP 708.02 (VIII).

1. The fee set forth in 37 C.F.R. §1.17(i) accompanies this petition.
2. Applicant hereby presents all claims directed to a single invention, however, if the office determines that all the claims presented are not obviously directed to a single invention, applicant will make an election without traverse as a prerequisite to the grant of special status.
3. A pre-examination search was conducted through the office of Woolcott & Company directed to an illuminating weatherseal for sealing an interface between confronting surfaces and illuminating an adjacent environment, the weatherseal comprising a light line extending along a longitudinal dimension of the weatherseal. The field of search was directed to the following areas Class 362, subclasses 503, 501, 511, 540, 543, 545, 485 and 459.
4. One copy of each of these references has been made of record; including the accompanying PTO form No. PTO/SB/08A; and a detailed discussion accompanies this petition discussing the references and pointing out what the particularity required by 37 C.F.R. §1.111(b) and (c) how the claimed subject matter is patentable over the references.

Therefore, applicant respectfully request granting of this petition and expediting the examination procedure.

Respectfully submitted,



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700 Midtown Tower
Rochester, New York 14604

Date: May 18, 2001

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Whitehead, William

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Serial No.: 09/837,039

Examiner:

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Art Unit:

Title: ILLUMINATING WEATHERSEAL

Detailed Discussion Pursuant to MPEP 708.02 VIII (E)Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

U.S. Patent No. 4,758,931

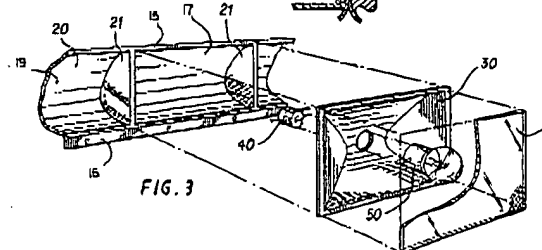
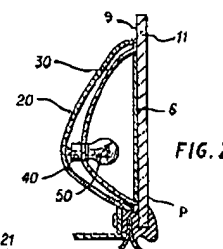
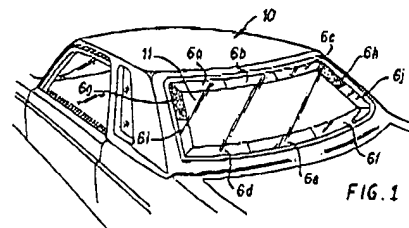
U.S. Patent No. 4,758,931 (the '931 patent) discloses a rear end lighting system mounted flush against the inside perimeter of a rear window. The device of the '931 patent provides a casing 20 is built either as part of the automobile rear window frame or as a separate assembly attached by metal screws, welding and the like as shown in Figures 2 and 3. (Col. 2, Lines 11-15)

However, the '931 patent does not disclose or suggest an illuminating weatherseal for sealing a gap intermediate two confronting surfaces moveable between a spaced apart open position and an adjacent closed position, comprising an elongate elastomeric body including a sealing portion being spaced from a remaining

U.S. Patent

Jul. 19, 1988

4,758,931


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confronting surface in the open position of confronting surfaces and contacting the remaining confronting surface in the closed position of the confronting surfaces, the elastomeric body including a seating channel and a light line disposed in the seating channel (Claims 1-12); or a weatherseal assembly comprising a weatherseal body having a longitudinal dimension and a fiber optic light line connected to the body (Claims 13-19); or an illuminating weatherseal assembly having a weatherseal body having a cross sectional dimension and a light line extending along the longitudinal dimension, the light line having a cross sectional area less than the cross sectional area of the weatherseal body (Claims 20-25); or an elongate trim piece comprising an elongate body having a U shape cross section, a reinforcing member having a corresponding U shape cross section and a light line connected to the body (Claims 26-34); or an illuminating assembly comprising an elongate body having a longitudinal axis, a light line connected to the elongate body and a switch integral with the elongate body, the switch being one of a pressure sensitive switch, a capacitive switch or a touch sensitive switch (Claims 35-36 and 38-41).

Therefore, the '931 patent cannot sustain a rejection of the present claims.

U.S. Patent No. 4,993,774

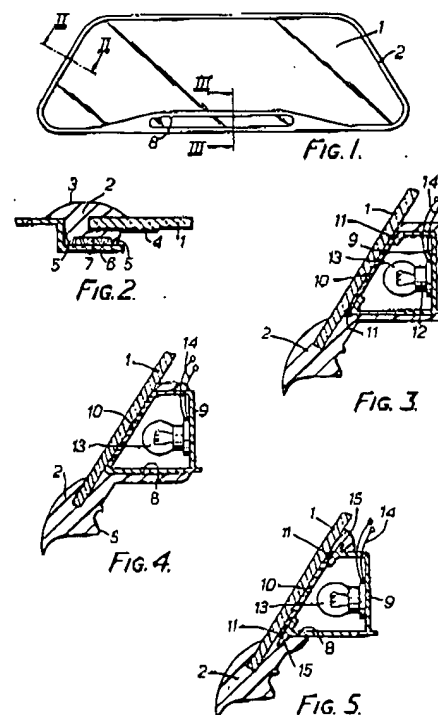
U.S. Patent No. 4,993,774 (the '774 patent) discloses an edge encapsulated glazing module, wherein a lower edge of the encapsulation is molded with an open aperture 8 and the lamp housing 9 is a push fit into that aperture and is not enclosed by any encapsulation. Alternatively, the lower edge of the molded encapsulation 2 embodies means for mounting a lighting unit in the form of an aperture 8 in which a lighting unit for the vehicle is mounted. The lighting unit may include brake lights, reversing lights, rear warning lights and fog lamps. (Col. 5, Lines 20-60)

U.S. Patent

Feb. 19, 1991

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4,993,774



However, the '774 patent does not disclose or suggest an illuminating weatherseal for sealing a gap intermediate two confronting surfaces moveable between a spaced apart open position and an adjacent closed position, comprising an elongate elastomeric body including a sealing portion being spaced from a remaining confronting surface in the open position of confronting surfaces and contacting the remaining confronting surface in the closed position of the confronting surfaces, the elastomeric body including a seating channel and a light line disposed in the seating channel (Claims 1-12); or a weatherseal assembly comprising a weatherseal body having a longitudinal dimension and a fiber optic light line connected to the body (Claims 13-19); or an illuminating weatherseal assembly having a weatherseal body having a cross sectional dimension and a light line extending along the longitudinal dimension, the light line having a cross sectional area less than the cross sectional area of the weatherseal body (Claims 20-25); or an elongate trim piece comprising an elongate body having a U shape cross section, a reinforcing member having a corresponding U shape cross section and a light line connected to the body (Claims 26-34); or an illuminating assembly comprising an elongate body having a longitudinal axis, a light line connected to the elongate body and a switch integral with the elongate body, the switch being one of a pressure sensitive switch, a capacitive switch or a touch sensitive switch (Claims 35-36 and 38-41).

Therefore, the '774 patent cannot sustain rejection of the present claims.

U.S. Patent No. 5,016,145

U.S. Patent No. 5,016,145 (the '145 patent) discloses an illuminated vehicle ornament display which can employ magnetic, hook and loop or resilient clips for securing sockets within a vehicle interior. In a second embodiment, a base includes suction cups for engagement with an interior vehicle window surface. An elongated light bulb is mounted within the base in optical communication with the display sign. (Col. 1, Lines 61-69 and Col. 2, Lines 1-2)

U.S. Patent

May 14, 1991

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5,016,145

U.S. Patent

May 14, 1991

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5,016,145

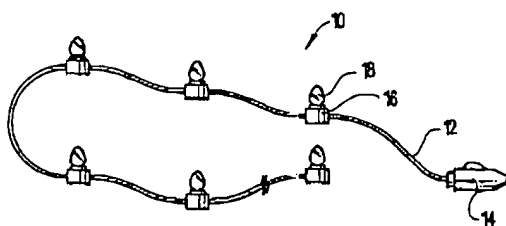


Fig. 1

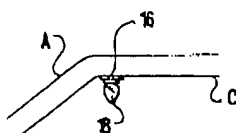


Fig. 2

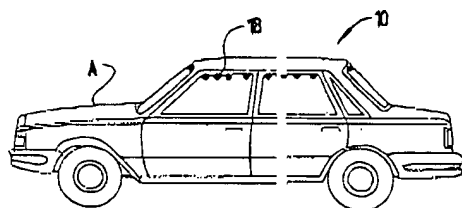


Fig. 3

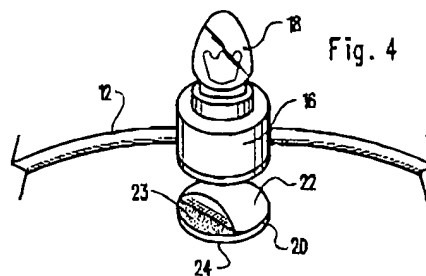


Fig. 4

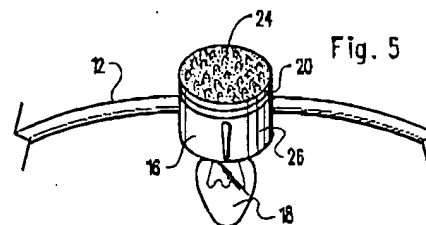


Fig. 5

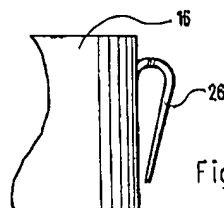


Fig. 6

However, the '145 patent fails to disclose or suggest an illuminating weatherseal for sealing a gap intermediate two confronting surfaces moveable between a spaced apart open position and an adjacent closed position, comprising an elongate elastomeric body including a sealing portion being spaced from a remaining confronting surface in the open position of confronting surfaces and contacting the remaining confronting surface in the closed position of the confronting surfaces, the elastomeric body including a seating channel and a light line disposed in the seating channel (Claims 1-12); or a weatherseal assembly comprising a weatherseal body having a longitudinal dimension and a fiber optic light line connected to the body (Claims 13-19); or an illuminating weatherseal assembly having a weatherseal body having a cross sectional dimension and a light line extending along the longitudinal dimension, the light line having a cross sectional area less than the cross sectional area of the weatherseal body (Claims 20-25); or an elongate trim piece comprising an elongate body having a U shape cross section, a reinforcing member having a corresponding U shape cross section and a light line connected to the body (Claims 26-34); or an illuminating assembly comprising an elongate body having a

longitudinal axis, a light line connected to the elongate body and a switch integral with the elongate body, the switch being one of a pressure sensitive switch, a capacitive switch or a touch sensitive switch (Claims 35-36 and 38-41).

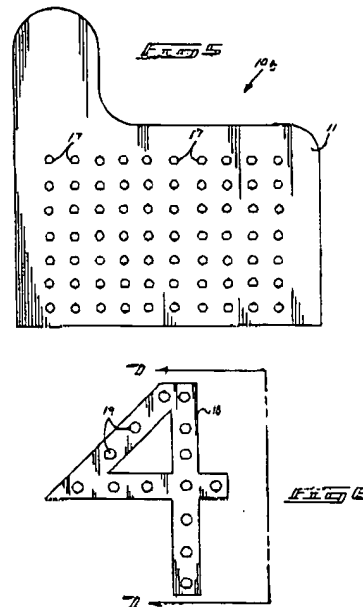
Therefore, the '145 patent cannot sustain a rejection of the present claims.

U.S. Patent No. 5,025,351

U.S. Patent No. 5,025,351 (the '351 patent)

U.S. Patent June 18, 1991 Sheet 3 of 4 5,025,351

discloses an illuminated splash guard, wherein a matrix of light emitting diodes are arranged in a pre-configured matrix to direct a desired signal rearward of the splash guard. The light emitting diodes are arranged within the direct current circuit of an associated vehicle and may optionally be of a plug-in arrangement or a modified aspect, including a snap-on illumination member containing a series of light emitting diodes throughout, wherein the member is in turn mechanically associated with the direct current of the vehicle. (Col. 3, Lines 56-69 and Col. 4, Lines



1-5) The '351 patent further discloses a translucent illumination member secured to the flexible mud flap member, wherein the translucent member includes a fiber optic cable including a series of spaced light emitting diode members arranged at terminal and juncture portions of the translucent member.

However, the '351 patent does not disclose or suggest an illuminating weatherseal for sealing a gap intermediate two confronting surfaces moveable between a spaced apart open position and an adjacent closed position, comprising an elongate elastomeric body including a sealing portion being spaced from a remaining confronting surface in the open position of confronting surfaces and contacting the remaining confronting surface in the closed position of the confronting surfaces, the elastomeric body including a seating channel and a light line disposed in the seating channel (Claims 1-12); or a weatherseal assembly comprising a weatherseal body having a longitudinal dimension and a fiber optic light line connected to the body (Claims 13-19); or an illuminating weatherseal

assembly having a weatherseal body having a cross sectional dimension and a light line extending along the longitudinal dimension, the light line having a cross sectional area less than the cross sectional area of the weatherseal body (Claims 20-25); or an elongate trim piece comprising an elongate body having a U shape cross section, a reinforcing member having a corresponding U shape cross section and a light line connected to the body (Claims 26-34); or an illuminating assembly comprising an elongate body having a longitudinal axis, a light line connected to the elongate body and a switch integral with the elongate body, the switch being one of a pressure sensitive switch, a capacitive switch or a touch sensitive switch (Claims 35-36 and 38-41).

Therefore, the '351 patent cannot sustain a rejection of the present claims.

U.S. Patent No. 5,180,223

U.S. Patent No. 5,180,223 (the '223 patent) discloses a portable, uniform wide area low intensity illuminating RV attachment, including a series of flexibly packaged miniature lights. (Col. 2, Lines 10-15)

U.S. Patent Jan. 19, 1993 Sheet 2 of 2 5,180,223

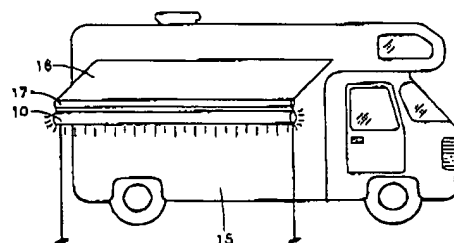
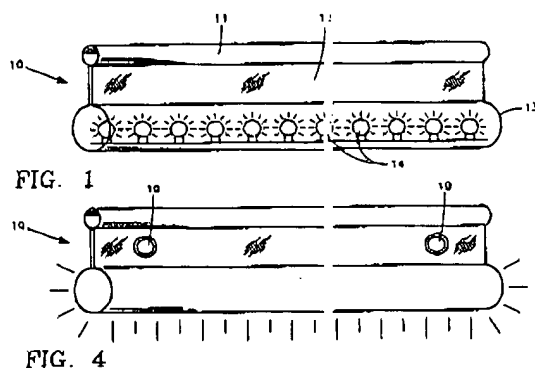


FIG. 2

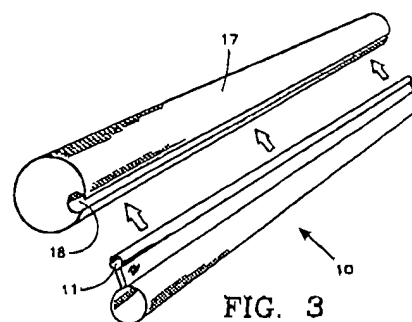


FIG. 3

However, the '223 patent does not disclose or suggest an illuminating weatherseal for sealing a gap intermediate two confronting surfaces moveable between a spaced apart open position and an adjacent closed position, comprising an elongate elastomeric body

including a sealing portion being spaced from a remaining confronting surface in the open position of confronting surfaces and contacting the remaining confronting surface in the closed position of the confronting surfaces, the elastomeric body including a seating channel and a light line disposed in the seating channel (Claims 1-12); or a weatherseal assembly comprising a weatherseal body having a longitudinal dimension and a fiber optic light line connected to the body (Claims 13-19); or an illuminating weatherseal assembly having a weatherseal body having a cross sectional dimension and a light line extending along the longitudinal dimension, the light line having a cross sectional area less than the cross sectional area of the weatherseal body (Claims 20-25); or an elongate trim piece comprising an elongate body having a U shape cross section, a reinforcing member having a corresponding U shape cross section and a light line connected to the body (Claims 26-34); or an illuminating assembly comprising an elongate body having a longitudinal axis, a light line connected to the elongate body and a switch integral with the elongate body, the switch being one of a pressure sensitive switch, a capacitive switch or a touch sensitive switch (Claims 35-36 and 38-41).

Therefore, the '223 patent cannot sustain a rejection of the present claims.

U.S. Patent No. 5,211,466

U.S. Patent No. 5,211,466 (the '466 patent) discloses a high mounted type vehicle rear signal light assembly having a body panel including outer and inner flanges configured to be secured to a rear window, and an obscuration band that hides the header from sight through the window and a signal light source mounted within an outwardly opening intermediate portion of the header. The '466 patent further discloses a signal light source such as a bulb, light emitting diode or strip of light emitting diodes.

U.S. Patent

May 18, 1993

Sheet 1 of 4

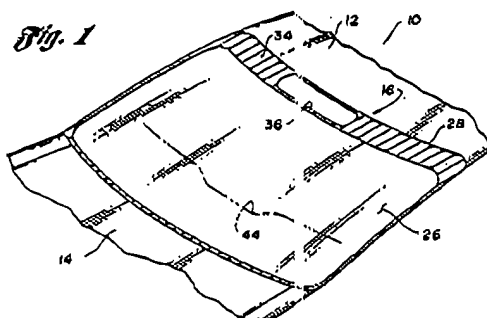
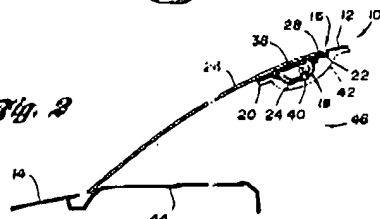
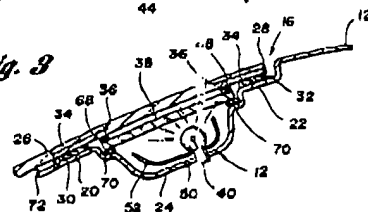
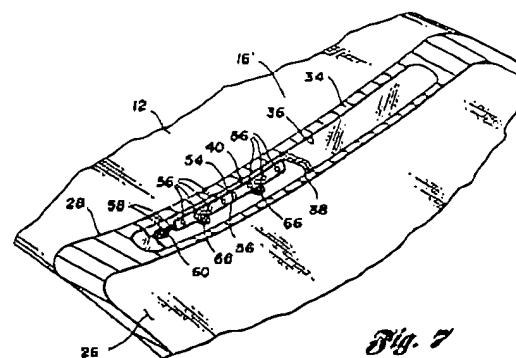
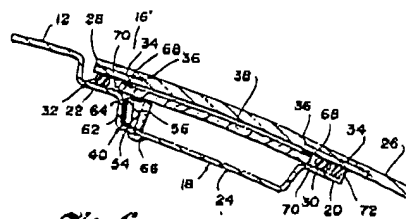
5,211,466

U.S. Patent

May 18, 1993

Sheet 3 of 4

5,211,466

Fig. 1*Fig. 2**Fig. 3**Fig. 6*

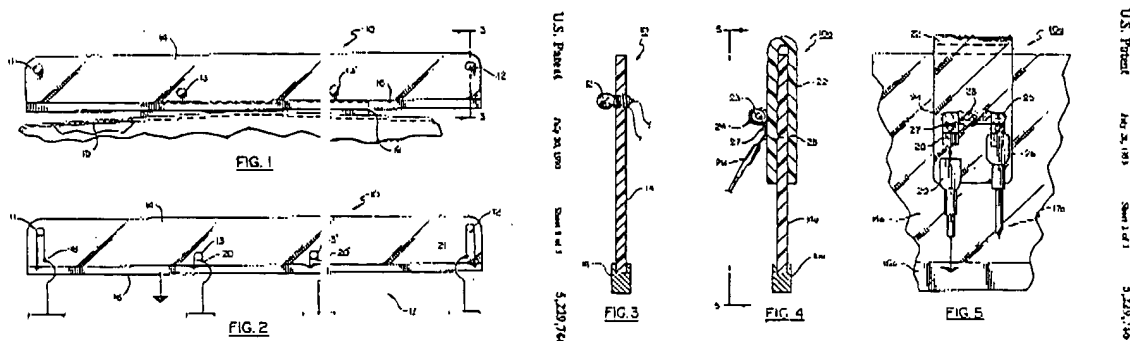
However, the '466 patent does not disclose or suggest an illuminating weatherseal for sealing a gap intermediate two confronting surfaces moveable between a spaced apart open position and an adjacent closed position, comprising an elongate elastomeric body including a sealing portion being spaced from a remaining confronting surface in the open position of confronting surfaces and contacting the remaining confronting surface in the closed position of the confronting surfaces, the elastomeric body including a seating channel and a light line disposed in the seating channel (Claims 1-12); or a weatherseal assembly comprising a weatherseal body having a longitudinal dimension and a fiber optic light line connected to the body (Claims 13-19); or an illuminating weatherseal assembly having a weatherseal body having a cross sectional dimension and a light line extending along the longitudinal dimension, the light line having a cross sectional area less than the cross sectional area of the weatherseal body (Claims 20-25); or an elongate trim piece comprising an elongate body having a U shape cross section, a reinforcing member having a corresponding U shape cross section and a light line connected to the body (Claims 26-34); or an illuminating assembly comprising an elongate body having a

longitudinal axis, a light line connected to the elongate body and a switch integral with the elongate body, the switch being one of a pressure sensitive switch, a capacitive switch or a touch sensitive switch (Claims 35-36 and 38-41).

Therefore, the '466 patent cannot sustain a rejection of the present claims.

U.S. Patent No. 5,229,746

U.S. Patent No. 5,229,746 (the '746 patent) discloses a wind screen light assembly for mounting, for example, to a front hood mounted wind screen or bug deflector. The '746 patent discloses a shield 14 located relatively near the vehicle headlights, wherein a bulb 12 is mounted to the leeward side of the shield 14. As shown in Figures 4 and 5, assembly 10a has a bulb 23, a shield 14a, a strip 16a and a wiring assembly 17a. Bulb 23 has a U shaped clip 22, which is composed of a transparent plastic material. Bulb 23 has bent plates or bulb holders 24 and 25.



However, the '746 patent does not disclose or suggest an illuminating weatherseal for sealing a gap intermediate two confronting surfaces moveable between a spaced apart open position and an adjacent closed position, comprising an elongate elastomeric body including a sealing portion being spaced from a remaining confronting surface in the open position of confronting surfaces and contacting the remaining confronting surface in the closed position of the confronting surfaces, the elastomeric body including a seating channel and a light line disposed in the seating channel (Claims 1-12); or a weatherseal assembly comprising a weatherseal body having a longitudinal dimension and a fiber optic light line connected to the body (Claims 13-19); or an illuminating weatherseal assembly having a weatherseal body having a cross sectional dimension and a light line extending along the longitudinal dimension, the light line having a cross sectional area less than the cross sectional area of the weatherseal body (Claims 20-25); or an elongate

trim piece comprising an elongate body having a U shape cross section, a reinforcing member having a corresponding U shape cross section and a light line connected to the body (Claims 26-34); or an illuminating assembly comprising an elongate body having a longitudinal axis, a light line connected to the elongate body and a switch integral with the elongate body, the switch being one of a pressure sensitive switch, a capacitive switch or a touch sensitive switch (Claims 35-36 and 38-41).

Therefore, the '746 patent cannot sustain a rejection of the present claims.

U.S. Patent No. 5,255,164

U.S. Patent No. 5,255,164 (the '164 patent) discloses elongated light sources for motor vehicles installed at a level which is clearly visible from the side (for example, at the level just below the side windows), from above, (for example, on the edges of car roofs), and from below (for example, on the side of a truck at a level of a passenger vehicle). (Col. 2, Lines 4-11)

However, the '164 patent does not disclose or suggest an illuminating weatherseal for sealing a gap intermediate two confronting surfaces moveable between a spaced apart open position and an adjacent closed position, comprising an elongate

elastomeric body including a sealing portion being spaced from a remaining confronting surface in the open position of confronting surfaces and contacting the remaining confronting surface in the closed position of the confronting surfaces, the elastomeric body including a seating channel and a light line disposed in the seating channel (Claims 1-12); or a weatherseal assembly comprising a weatherseal body having a longitudinal dimension and a fiber optic light line connected to the body (Claims 13-19); or an illuminating weatherseal assembly having a weatherseal body having a cross sectional dimension and a light line extending along the longitudinal dimension, the light line

U.S. Patent

Oct. 19, 1993

5,255,164

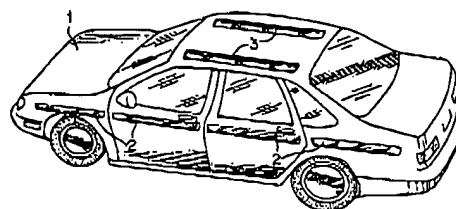


FIG. 1

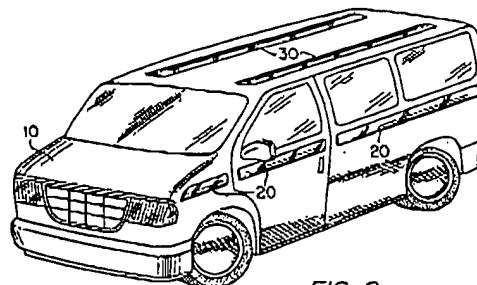


FIG. 2

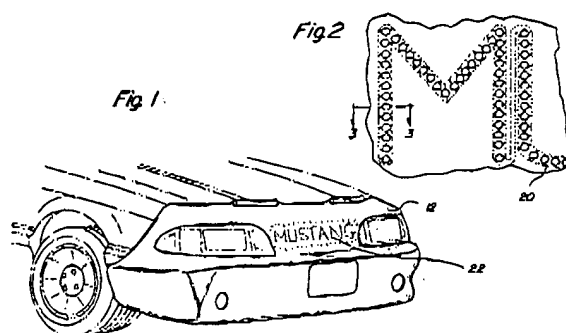
having a cross sectional area less than the cross sectional area of the weatherseal body (Claims 20-25); or an elongate trim piece comprising an elongate body having a U shape cross section, a reinforcing member having a corresponding U shape cross section and a light line connected to the body (Claims 26-34); or an illuminating assembly comprising an elongate body having a longitudinal axis, a light line connected to the elongate body and a switch integral with the elongate body, the switch being one of a pressure sensitive switch, a capacitive switch or a touch sensitive switch (Claims 35-36 and 38-41).

Therefore, the '164 patent cannot sustain a rejection of the present claims.

U.S. Patent No. 5,424,924

U.S. Patent No. 5,424,924

(the '924 patent) discloses an illuminated vehicle bra 12 of generally concave shape and size to fit on or substantially cover and conform to the shape of the front end of a vehicle. A signaling circuit 18 contains a plurality of light emitting diodes 20 that extend through the exterior surface of the bra.



U.S. Patent No. 5,424,924
Jan. 11, 1999
Sheet 1 of 1

However, the '924 patent does not disclose or suggest an illuminating weatherseal for sealing a gap intermediate two confronting surfaces moveable between a spaced apart open position and an adjacent closed position, comprising an elongate elastomeric body including a sealing portion being spaced from a remaining confronting surface in the open position of confronting surfaces and contacting the remaining confronting surface in the closed position of the confronting surfaces, the elastomeric body including a seating channel and a light line disposed in the seating channel (Claims 1-12); or a weatherseal assembly comprising a weatherseal body having a longitudinal dimension and a fiber optic light line connected to the body (Claims 13-19); or an illuminating weatherseal assembly having a weatherseal body having a cross sectional dimension and a light line extending along the longitudinal dimension, the light line having a cross sectional area less than the cross sectional area of the weatherseal body (Claims 20-25); or an elongate trim piece comprising an elongate body having a U shape cross section, a reinforcing

member having a corresponding U shape cross section and a light line connected to the body (Claims 26-34); or an illuminating assembly comprising an elongate body having a longitudinal axis, a light line connected to the elongate body and a switch integral with the elongate body, the switch being one of a pressure sensitive switch, a capacitive switch or a touch sensitive switch (Claims 35-36 and 38-41).

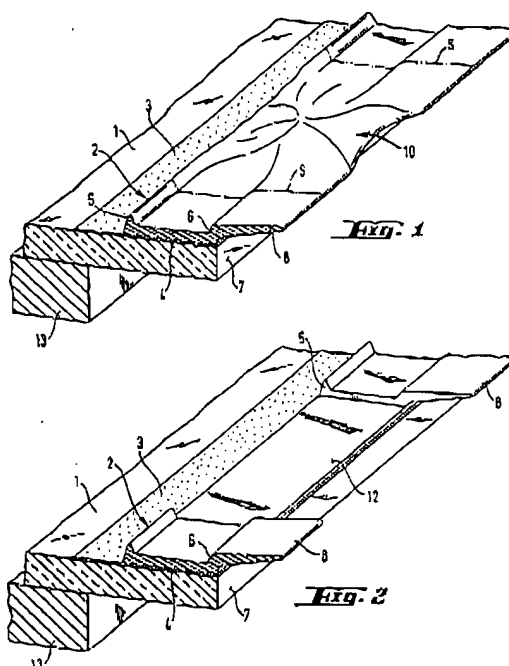
Therefore, the '924 patent cannot sustain a rejection of the present claims.

U.S. Patent No. 5,580,628

U.S. Patent No. 5,580,628 (the '628 patent) discloses a process for the production of glazing provided with a frame or frame portion on the periphery, based on a polymer and essentially obtained by the extrusion of a profile with the aid of a nozzle or die calibrated directly to the periphery of the glazing taking place either directly on the glass or on an opaque layer bonded to the glass.

However, the '628 patent does not disclose or suggest an illuminating weatherseal for sealing a gap intermediate two confronting surfaces moveable between a spaced apart open position and an adjacent closed position, comprising an elongate elastomeric body including a sealing portion being spaced from a remaining confronting surface in the open position of confronting surfaces and contacting the remaining confronting surface in the closed position of the confronting surfaces, the elastomeric body including a seating channel and a light line disposed in the seating channel (Claims 1-12); or a weatherseal assembly comprising a weatherseal body having a longitudinal dimension and a fiber optic light line connected to the body (Claims 13-19); or an illuminating weatherseal assembly having a weatherseal body having a cross sectional dimension and a light line extending along the longitudinal dimension, the light line having a cross sectional area less than the

U.S. Patent Dec. 3, 1996 Sheet 1 of 2 5,580,628

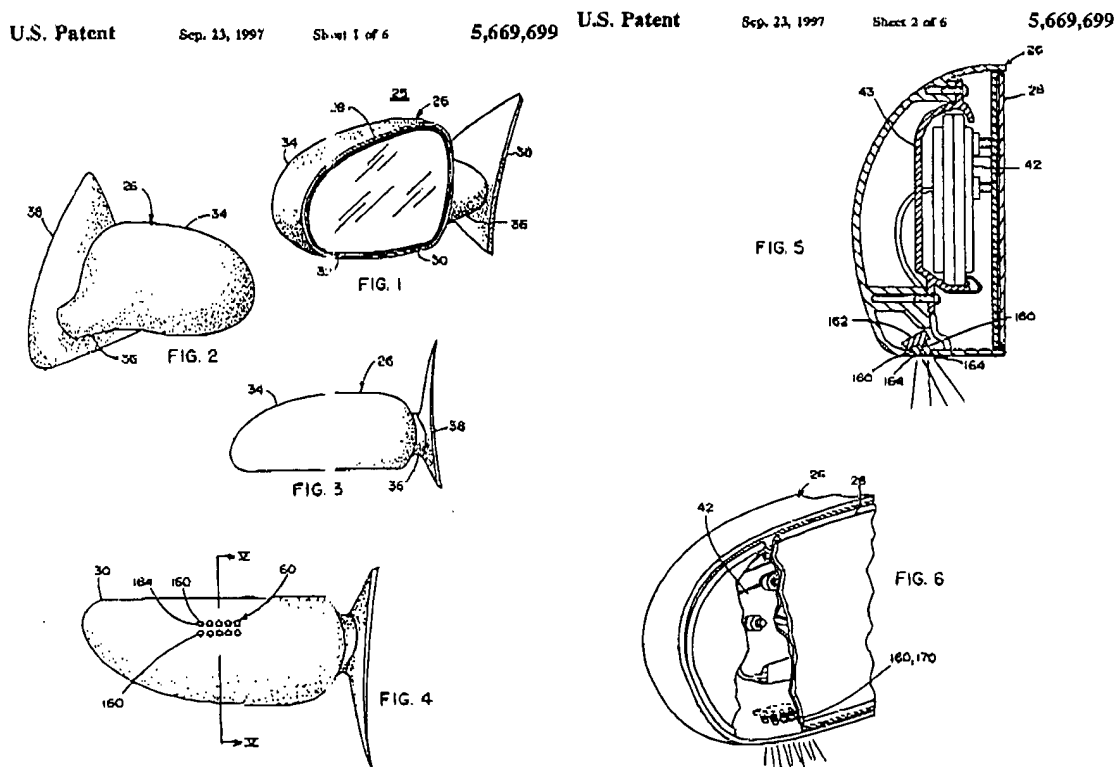


cross sectional area of the weatherseal body (Claims 20-25); or an elongate trim piece comprising an elongate body having a U shape cross section, a reinforcing member having a corresponding U shape cross section and a light line connected to the body (Claims 26-34); or an illuminating assembly comprising an elongate body having a longitudinal axis, a light line connected to the elongate body and a switch integral with the elongate body, the switch being one of a pressure sensitive switch, a capacitive switch or a touch sensitive switch (Claims 35-36 and 38-41).

Therefore, the '628 patent cannot sustain a rejection of the present claims.

U.S. Patent No. 5,669,699

U.S. Patent No. 5,669,699 (the '699 patent) discloses an exterior vehicle security light and particularly an exterior mirror assembly having a reflective element and a housing for the reflective element. A security light including at least one light emitting diode projects light from the housing on an area adjacent the vehicle to create a lighted security zone.



However, the '699 patent does not disclose or suggest an illuminating weatherseal for sealing a gap intermediate two confronting surfaces moveable between a spaced apart

open position and an adjacent closed position, comprising an elongate elastomeric body including a sealing portion being spaced from a remaining confronting surface in the open position of confronting surfaces and contacting the remaining confronting surface in the closed position of the confronting surfaces, the elastomeric body including a seating channel and a light line disposed in the seating channel (Claims 1-12); or a weatherseal assembly comprising a weatherseal body having a longitudinal dimension and a fiber optic light line connected to the body (Claims 13-19); or an illuminating weatherseal assembly having a weatherseal body having a cross sectional dimension and a light line extending along the longitudinal dimension, the light line having a cross sectional area less than the cross sectional area of the weatherseal body (Claims 20-25); or an elongate trim piece comprising an elongate body having a U shape cross section, a reinforcing member having a corresponding U shape cross section and a light line connected to the body (Claims 26-34); or an illuminating assembly comprising an elongate body having a longitudinal axis, a light line connected to the elongate body and a switch integral with the elongate body, the switch being one of a pressure sensitive switch, a capacitive switch or a touch sensitive switch (Claims 35-36 and 38-41).

Therefore, the '699 patent cannot sustain a rejection of the present claims.

U.S. Patent No. 5,669,704

U.S. Patent No. 5,669,704 (the '704 patent) discloses an exterior mirror assembly and removable light module positioned within the exterior of the mirror housing. The light module is moisture impervious and includes an enclosure for retaining a light source.

U.S. Patent

Sep. 23, 1997

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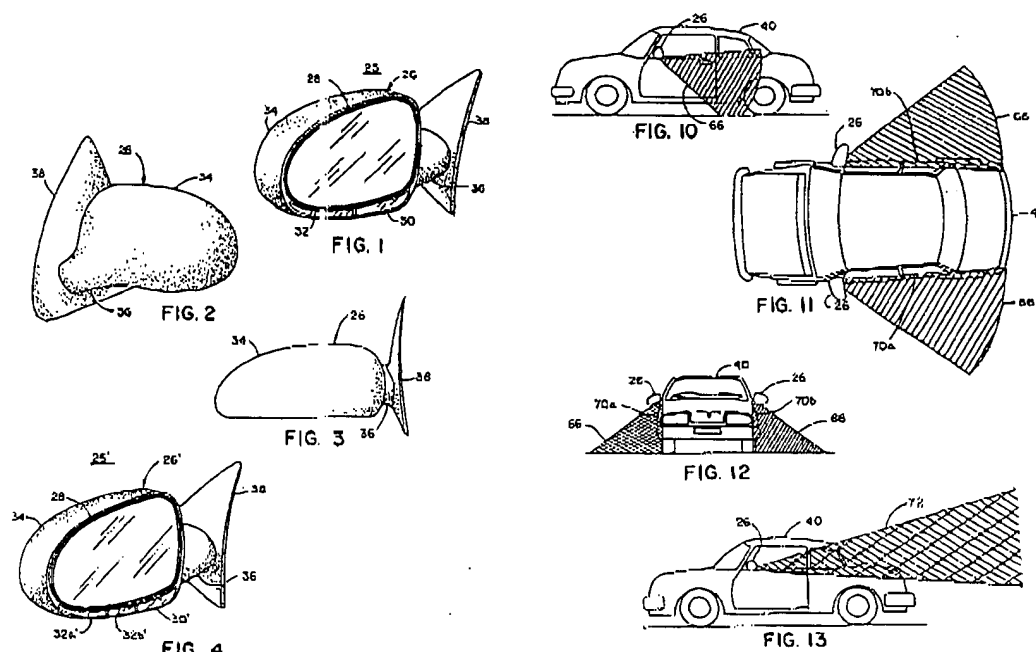
5,669,704

U.S. Patent

Sep. 23, 1997

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5,669,704



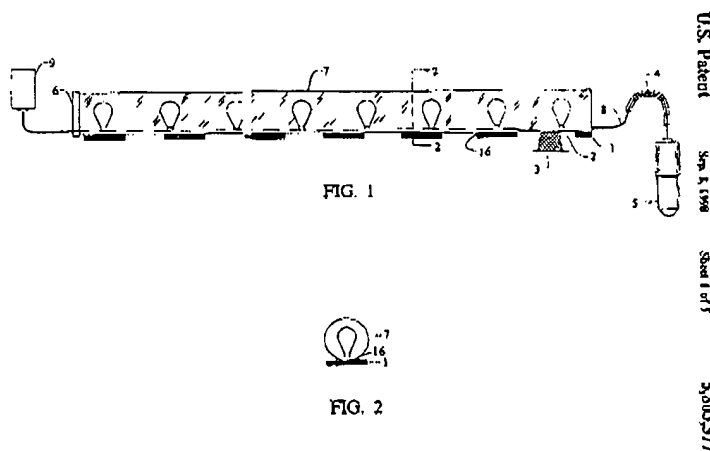
However, the '704 does not disclose or suggest an illuminating weatherseal for sealing a gap intermediate two confronting surfaces moveable between a spaced apart open position and an adjacent closed position, comprising an elongate elastomeric body including a sealing portion being spaced from a remaining confronting surface in the open position of confronting surfaces and contacting the remaining confronting surface in the closed position of the confronting surfaces, the elastomeric body including a seating channel and a light line disposed in the seating channel (Claims 1-12); or a weatherseal assembly comprising a weatherseal body having a longitudinal dimension and a fiber optic light line connected to the body (Claims 13-19); or an illuminating weatherseal assembly having a weatherseal body having a cross sectional dimension and a light line extending along the longitudinal dimension, the light line having a cross sectional area less than the cross sectional area of the weatherseal body (Claims 20-25); or an elongate trim piece comprising an elongate body having a U shape cross section, a reinforcing member having a corresponding U shape cross section and a light line connected to the body (Claims 26-34); or an illuminating assembly comprising an elongate body having a longitudinal axis, a light line connected to the elongate body and a switch integral with

the elongate body, the switch being one of a pressure sensitive switch, a capacitive switch or a touch sensitive switch. (Claims 35-36 and 38-41).

Therefore, the '704 patent cannot sustain a rejection of the present claims.

U.S. Patent No. 5,803,577

U.S. Patent No. 5,803,577 (the '577 patent) discloses a decorative lighting device for a vehicle, wherein the device can be mounted on an exterior metal portion of the vehicle. Specifically, the '577 patent discloses a magnetic strip attached to a lighting strip along the length thereof.



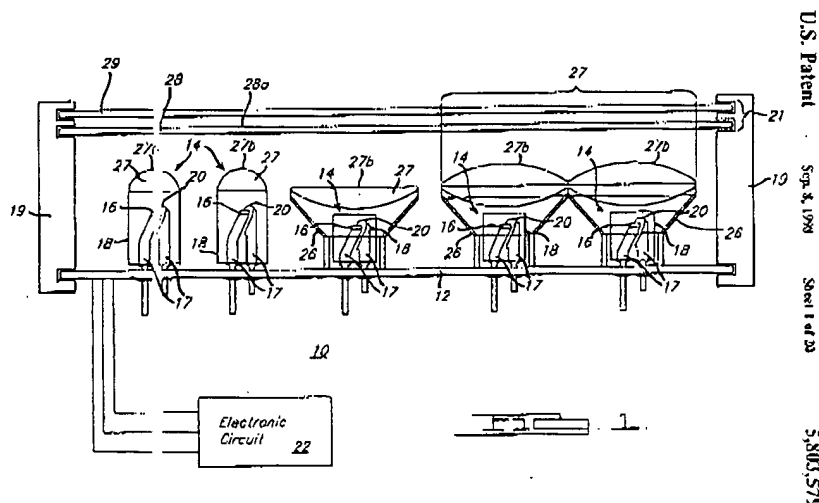
However, the '577 patent does not disclose or suggest an illuminating weatherseal for sealing a gap intermediate two confronting surfaces moveable between a spaced apart open position and an adjacent closed position, comprising an elongate elastomeric body including a sealing portion being spaced from a remaining confronting surface in the open position of confronting surfaces and contacting the remaining confronting surface in the closed position of the confronting surfaces, the elastomeric body including a seating channel and a light line disposed in the seating channel (Claims 1-12); or a weatherseal assembly comprising a weatherseal body having a longitudinal dimension and a fiber optic light line connected to the body (Claims 13-19); or an illuminating weatherseal assembly having a weatherseal body having a cross sectional dimension and a light line extending along the longitudinal dimension, the light line having a cross sectional area less than the cross sectional area of the weatherseal body (Claims 20-25); or an elongate trim piece comprising an elongate body having a U shape cross section, a reinforcing member having a corresponding U shape cross section and a light line connected to the

body (Claims 26-34); or an illuminating assembly comprising an elongate body having a longitudinal axis, a light line connected to the elongate body and a switch integral with the elongate body, the switch being one of a pressure sensitive switch, a capacitive switch or a touch sensitive switch (Claims 35-36 and 38-41).

Therefore, the '577 patent cannot sustain a rejection of the present claims.

U.S. Patent No. 5,803,579

U.S. Patent No. 5,803,579 (the '579 patent) discloses a light emitting diode illuminator assembly for exhibiting differing hues. The '579 patent is particularly directed to a white LED illuminator for use in limited power applications such as vehicles. The '579 patent employs a housing 19 into which the illuminator assembly 10 is incorporated.



However, the '579 patent does not disclose or suggest an illuminating weatherseal for sealing a gap intermediate two confronting surfaces moveable between a spaced apart open position and an adjacent closed position, comprising an elongate elastomeric body including a sealing portion being spaced from a remaining confronting surface in the open position of confronting surfaces and contacting the remaining confronting surface in the closed position of the confronting surfaces, the elastomeric body including a seating channel and a light line disposed in the seating channel (Claims 1-12); or a weatherseal assembly comprising a weatherseal body having a longitudinal dimension and a fiber optic light line connected to the body (Claims 13-19); or an illuminating weatherseal assembly having a weatherseal body having a cross sectional dimension and a light line

extending along the longitudinal dimension, the light line having a cross sectional area less than the cross sectional area of the weatherseal body (Claims 20-25); or an elongate trim piece comprising an elongate body having a U shape cross section, a reinforcing member having a corresponding U shape cross section and a light line connected to the body (Claims 26-34); or an illuminating assembly comprising an elongate body having a longitudinal axis, a light line connected to the elongate body and a switch integral with the elongate body, the switch being one of a pressure sensitive switch, a capacitive switch or a touch sensitive switch (Claims 35-36 and 38-41).

Therefore, the '579 patent cannot sustain a rejection of the present claims.

U.S. Patent No. 5,848,837

U.S. Patent No. 5,848,837 (the '837 patent) discloses an integrally formed linear light strip with light emitting diodes. The '837 patent states

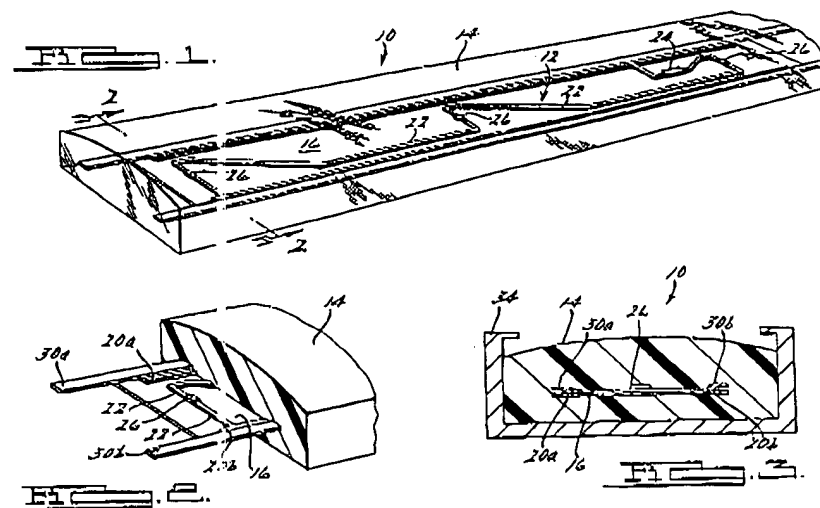
"The light strip has application in a traffic control environment, such as: Aircraft guidance lighting; ground vehicle guidance lighting; chasing-effect guidance lighting from runway to arrival gate; red/green traffic control lighting across active runways; taxiway numbering; directional sign outline lighting; smart sensor-activated lighting for traffic control; temporary barrier demarkation; high hazard permanent marking; traffic impedance marking (i.e., dangerous bridge abutments, narrow zones, etc.); active road signs; left turn/right turn guidance strip; contra-flow control with directional LEDs; difficult intersection control; high fog area line markers; inclusion of smart sensors for traffic control; toll booth control lighting; mobile control signs; traffic light replacement bulb fixture; pedestrian crossing lighting; pedestrian crossing island lighting; road signs (i.e., stop signs, etc.); and road triangles.

The light strip of the present invention also has various automotive applications, such as: truck running lights; truck decorative panels; truck side panel turn indicators; car/truck running board lights; visibility lights for police cars; airplane aisle lighting; train aisle lighting; bus aisle lighting; ship markings; trailer hitch lights; lighting for vehicle docking bays.

In addition, the light strip of the present invention has many structural applications, such as: helicopter pads; well deck indicator lighting; gangway lighting; mobile platform lighting; ladder lighting; night vision lighting; dock lighting;

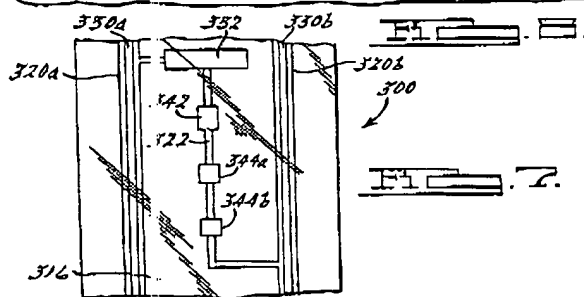
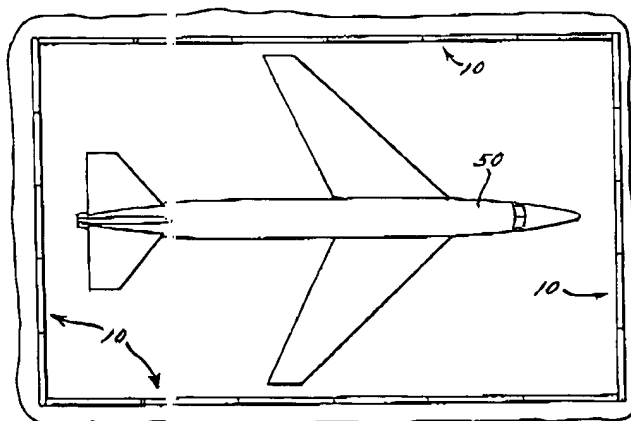
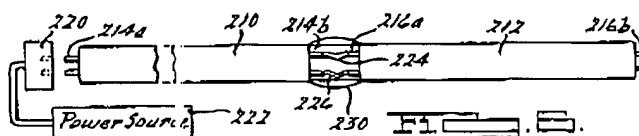
architectural outlining; marina/dock demarkation; passenger control on platforms; theater aisle lighting; restaurant aisle lighting; nightclub lighting; stage and theater guidance lighting; hospital directional guidance lighting; factory demarkation for fork lift loaders; step and entrance lighting; auditorium aisle lighting; swimming pool game lighting; Christmas lighting; toy-implemented lighting; bicycle lighting; sports training device lighting; ski trail lighting; landscape design-related lighting; fountain lighting; antenna lighting; camping lighting; tent lighting; and party canopy lighting.” (Col 9, lines 63-68 and Col. 10, lines 1-33)

The ‘837 patent further states as shown in Figure 3, if a particular application so dictates, the LED light strip may be mounted in a protective track 34 formed of aluminum, high density plastic, or ethylene propylene diene monomer (EPDM) rubber. (Col. 4, Lines 58-62) Further, the track 34 provides additional protection to the light strip from large loads placed upon a light strip and further facilitates the flush mounting of the light strip in areas such as an airport taxiway or an automobile highway. (Col. 5, Lines 6-8) Referring to Figure 6, the light strip 212 includes a first end having an electrical connector 216a that mates with the connector 214b of the light strip 210. A second end of the light strip 212 includes an electrical connector 216b for connection with another light strip or with a terminating element (not shown). The connector 214a shown is capable of mating with an electrical socket 220 of a remote power source 222 for providing electrical power to the light strip. (Col. 6, Lines 41-49) The LED strip 310 includes a microcontroller 352 of the type well known in the art. The microcontroller 352 makes the strip 300 addressable so that the LED circuitry contained within the LED light switch may be pulsed or selectively illuminated in a particular pattern in order to more clearly mark a particular pathway. (Col. 7, Lines 5-11)



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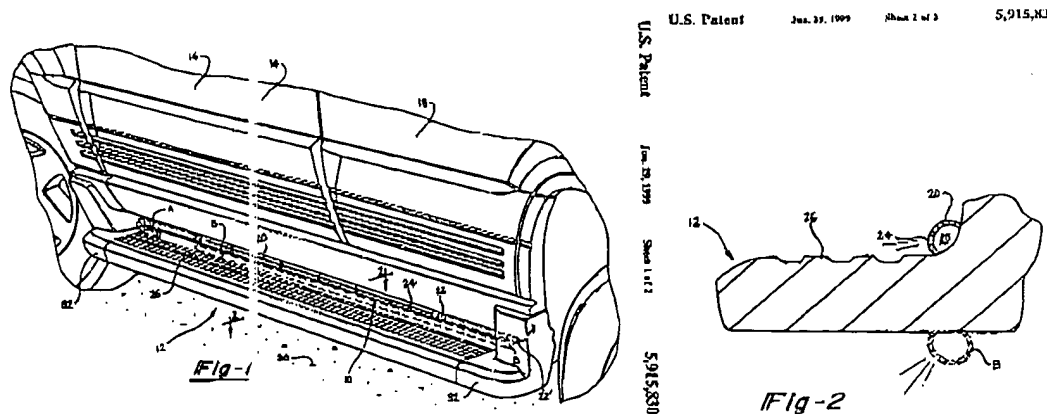


However, the '837 patent does not disclose or suggest an illuminating weatherseal for sealing a gap intermediate two confronting surfaces moveable between a spaced apart open position and an adjacent closed position, comprising an elongate elastomeric body including a sealing portion being spaced from a remaining confronting surface in the open position of confronting surfaces and contacting the remaining confronting surface in the closed position of the confronting surfaces, the elastomeric body including a seating channel and a light line disposed in the seating channel (Claims 1-12); or a weatherseal assembly comprising a weatherseal body having a longitudinal dimension and a fiber optic light line connected to the body (Claims 13-19); or an illuminating weatherseal assembly having a weatherseal body having a cross sectional dimension and a light line extending along the longitudinal dimension, the light line having a cross sectional area less than the cross sectional area of the weatherseal body (Claims 20-25); or an elongate trim piece comprising an elongate body having a U shape cross section, a reinforcing member having a corresponding U shape cross section and a light line connected to the body (Claims 26-34); or an illuminating assembly comprising an elongate body having a longitudinal axis, a light line connected to the elongate body and a switch integral with the elongate body, the switch being one of a pressure sensitive switch, a capacitive switch or a touch sensitive switch (Claims 35-36 and 38-41).

Therefore, the '837 patent cannot sustain a rejection of the present claims.

U.S. Patent No. 5,915,830

U.S. Patent No. 5,915,830 (the '830 patent) discloses a running board light assembly including a light tube 20 and a light source 22. The light tube 20 includes a translucent or transparent outer portion. A light source 22 can be a single incandescent bulb, light emitting diodes, or halogen bulbs. The running board light assembly may be used in various applications such as illuminate rear bumper steps, trailer platforms or similar stepping surfaces. (Col. 2, Lines 65-67)



However, the '830 patent does not disclose or suggest an illuminating weatherseal for sealing a gap intermediate two confronting surfaces moveable between a spaced apart open position and an adjacent closed position, comprising an elongate elastomeric body including a sealing portion being spaced from a remaining confronting surface in the open position of confronting surfaces and contacting the remaining confronting surface in the closed position of the confronting surfaces, the elastomeric body including a seating channel and a light line disposed in the seating channel (Claims 1-12); or a weatherseal assembly comprising a weatherseal body having a longitudinal dimension and a fiber optic light line connected to the body (Claims 13-19); or an illuminating weatherseal assembly having a weatherseal body having a cross sectional dimension and a light line extending along the longitudinal dimension, the light line having a cross sectional area less than the cross sectional area of the weatherseal body (Claims 20-25); or an elongate trim piece comprising an elongate body having a U shape cross section, a reinforcing member having a corresponding U shape cross section and a light line connected to the body (Claims 26-34); or an illuminating assembly comprising an elongate body having a longitudinal axis, a light line connected to the elongate body and a switch integral with the elongate body, the switch being one of a pressure sensitive switch, a capacitive switch or a touch sensitive switch (Claims 35-36 and 38-41).

Therefore, the '830 patent cannot sustain a rejection of the present claims.

U.S. Patent No. 5,938,321

U.S. Patent No. 5,938,321 (the '321 patent) discloses an interior vehicle instrumentation lighting assembly including a non-incandescent directed, low level, light emitting source in an interior rearview mirror assembly or vehicle lamp assembly.

U.S. Patent

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5,938,321

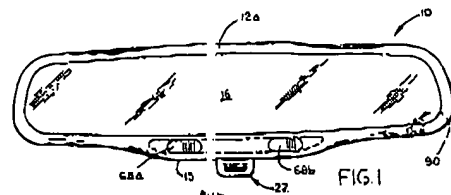


FIG. 1

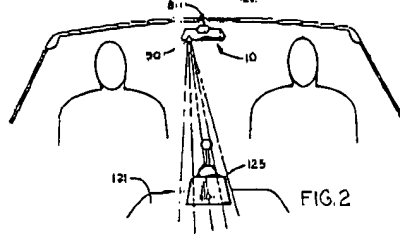


FIG. 2

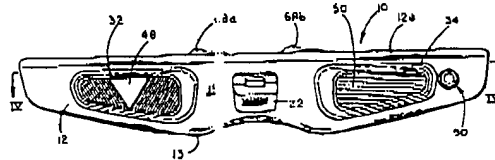


FIG. 3

However, the '57' patent does not disclose or suggest an illuminating weatherseal for sealing a gap intermediate two confronting surfaces moveable between a spaced apart open position and an adjacent closed position, comprising an elongate elastomeric body including a sealing portion being spaced from a remaining confronting surface in the open position of confronting surfaces and contacting the remaining confronting surface in the closed position of the confronting surfaces, the elastomeric body including a seating channel and a light line disposed in the seating channel (Claims 1-12); or a weatherseal assembly comprising a weatherseal body having a longitudinal dimension and a fiber optic light line connected to the body (Claims 13-19); or an illuminating weatherseal assembly having a weatherseal body having a cross sectional dimension and a light line extending along the longitudinal dimension, the light line having a cross sectional area less than the cross sectional area of the weatherseal body (Claims 20-25); or an elongate trim piece comprising an elongate body having a U shape cross section, a reinforcing member having a corresponding U shape cross section and a light line connected to the body (Claims 26-34); or an illuminating assembly comprising an elongate body having a longitudinal axis, a light line connected to the elongate body and a switch integral with

the elongate body, the switch being one of a pressure sensitive switch, a capacitive switch or a touch sensitive switch (Claims 35-36 and 38-41).

Therefore, the '579 patent cannot sustain a rejection of the present claims.

U.S. Patent No. 6,152,590

U.S. Patent No. 6,152,590 (the '590 patent) discloses a lighting device for motor vehicles which can be located outside a rearview mirror exterior of the vehicle.

Alternatively, the lighting devices can be integrated into trim strips 24 and 25. (Col. 11, Lines 10-12)

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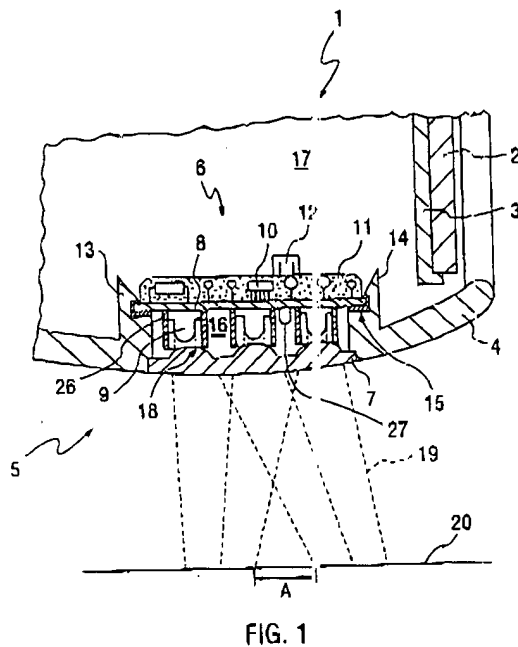


FIG. 1

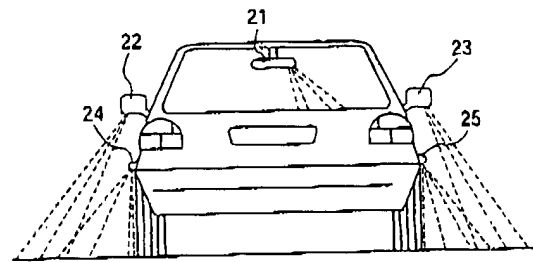


FIG. 2

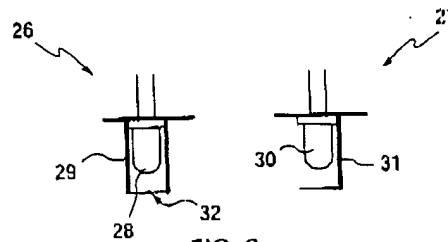


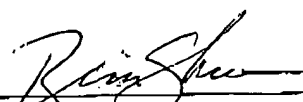
FIG. 3

However, the '590 patent does not disclose or suggest an illuminating weatherseal for sealing a gap intermediate two confronting surfaces moveable between a spaced apart open position and an adjacent closed position, comprising an elongate elastomeric body including a sealing portion being spaced from a remaining confronting surface in the open position of confronting surfaces and contacting the remaining confronting surface in the closed position of the confronting surfaces, the elastomeric body including a seating channel and a light line disposed in the seating channel (Claims 1-12); or a weatherseal assembly comprising a weatherseal body having a longitudinal dimension and a fiber optic light line connected to the body (Claims 13-19); or an illuminating weatherseal

assembly having a weatherseal body having a cross sectional dimension and a light line extending along the longitudinal dimension, the light line having a cross sectional area less than the cross sectional area of the weatherseal body (Claims 20-25); or an elongate trim piece comprising an elongate body having a U shape cross section, a reinforcing member having a corresponding U shape cross section and a light line connected to the body (Claims 26-34); or an illuminating assembly comprising an elongate body having a longitudinal axis, a light line connected to the elongate body and a switch integral with the elongate body, the switch being one of a pressure sensitive switch, a capacitive switch or a touch sensitive switch (Claims 35-36 and 38-41).

Therefore, the '590 patent cannot sustain a rejection of the present claims.

Respectfully submitted,



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Rochester, New York 14604

Date: May 18, 2001

I hereby certify that this correspondence is being deposited with the United States Postal Service on May 18, 2001 as U.S. Express Mail No. EL803578435US in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231


Michele Hamby

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